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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

FEDERAL TRADE COMMISSION, STATE
OF ARIZONA, STATE OF CALIFORNIA,
DISTRICT OF COLUMBIA, STATE OF
ILLINOIS, STATE OF MARYLAND, STATE
OF NEVADA, STATE OF NEW MEXICO,
STATE OF OREGON, and STATE OF
WYOMING,

Plaintiffs,

v.

THE KROGER COMPANY and
ALBERTSONS COMPANIES, INC.,

Defendants.

Case No.: 3:24-cv-00347-AN

DEFENDANTS' NOTICE OF FILING
UNDER SEAL UNREDACTED VERSION
OF DEFENDANTS' RESPONSE TO
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION AND
ACCOMPANYING EXHIBITS

NOTICE OF FILING UNDER SEAL

Defendants are filing today a response to Plaintiffs’ Motion for a Preliminary Injunction (“Response”). Defendants’ Response references and quotes information that has been designated as Confidential or Highly Confidential pursuant to the Stipulated Protective Order (“Protective Order”) (ECF No. 97). The Response is also accompanied by certain exhibits designated as Confidential or Highly Confidential under the Protective Order. Accordingly, pursuant to Section 11 of the Protective Order, Defendants hereby give notice that their Response and the following exhibits are hereby filed under seal:

DX 0090	DX 0454	DX 2283	DX 2736
DX 0108	DX 0510	DX 2304	DX 2738
DX 0143	DX 0523	DX 2308	DX 2739
DX 0149	DX 0586	DX 2311	DX 2740
DX 0149A	DX 0608	DX 2318	PX 2412
DX 0149B	DX 0637	DX 2357	PX 4014
DX 0149C	DX 0929	DX 2358	PX 4029
DX 0149D	DX 0943	DX 2359	PX 4042
DX 0149E	DX 0953	DX 2360	PX 4050
DX 0149F	DX 1058	DX 2361	PX 4054
DX 0149G	DX 1112	DX 2363	PX 4059
DX 0149H	DX 1134	DX 2364	PX 4060
DX 0149I	DX 1135	DX 2367	PX 4061
DX 0206	DX 1187	DX 2375	PX 4064
DX 0223	DX 1234	DX 2500	PX 4066
DX 0301	DX 1290	DX 2501	PX 4072
DX 0302	DX 1290A	DX 2502	PX 4076
DX 0308	DX 1635	DX 2503	PX 4081
DX 0315	DX 1674	DX 2503	PX 4097
DX 0321	DX 1682	DX 2507	PX 4099
DX 0323	DX 1727	DX 2509	PX 4104
DX 0324	DX 1954	DX 2511	PX 4115
DX 0333	DX 2041	DX 2512	PX 4128
DX 0336	DX 2094	DX 2524	PX 4131
DX 0338	DX 2213	DX 2525	PX 7004

DX 0346	DX 2219	DX 2528	PX 7006
DX 0348	DX 2237	DX 2529	EX. A
DX 0401	DX 2238	DX 2530	EX. B
DX 0417	DX 2239	DX 2531	EX. C
DX 0420	DX 2251	DX 2623	
DX 0425	DX 2257	DX 2625	

Further, pursuant to Section 11 of the Protective Order, an unredacted version of the Response and exhibits to the Response that have not been designated Confidential or Highly Confidential shall be filed publicly.

DATED: August 12, 2024

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